

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-65 are pending in this application. Claims 1-22 and 50-61 have been withdrawn from consideration. Claims 23 and 38-49 are amended. Claims 62-65 have been added and claim 37 has been cancelled. Claims 1, 23, 50 and 62-65 are the independent claims.

Applicants respectfully note that the present action does not indicate that the claim to foreign priority under 35 U.S.C. §119 has been acknowledged or that certified copies of all priority documents have been received by the U.S.P.T.O. Applicants respectfully request that the Examiner's next communication include an indication as to the claim to foreign priority under 35 U.S.C. §119 and an acknowledgement of receipt of the certified copies of all priority documents.

Applicants also respectfully note that the present action does not indicate that the drawings have been accepted by the Examiner. Applicants respectfully request that the Examiner's next communication include an indication as to the acceptability of the filed drawings or as to any perceived deficiencies so that the Applicants may have a full and fair opportunity to submit appropriate amendments and/or corrections to the drawings.

Election/Restriction

Initially, Applicants respectfully request that claims 1-22 and 50-61 be rejoined based on the reasoning detailed below.

MPEP § 1893.03(d) states the following:

When making a lack of unity of invention requirement, the examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) **specifically describing the unique special technical feature** in each group. (Emphasis Added).

Applicants respectfully submit the Examiner has not provided any comments whatsoever as to how U.S. Patents 4,222,346 and 5,881,559 teach or suggest each and every feature of the invention defined by the claims of Groups I, IIA, and IIB. Without this information, Applicants cannot properly respond to the Restriction Requirement. As a result, the basis for the Restriction Requirement is incomplete. If the Examiner maintains the Restriction Requirement, then he should at least point out (by column and line) how the asserted references meet each and every feature of the invention defined by the claims of Groups I, IIA, and IIB.

Furthermore, Applicant respectfully submits that independent claim 23 (of Group IIA) contains similar technical features to those set forth in independent claim 1 (of Group I). Accordingly, at least claims 1-49 should be examined in the instant application.

Further, upon the allowance of a claim with a “*special technical feature*” and/or allowance of a generic claim, Applicant respectfully requests rejoinder of all claims containing that “*special technical feature*” and/or all claims dependent on that generic claim.

Allowable Subject Matter

The Examiner states that claims 26-32 and 35-49 would be allowable if rewritten in independent form. Accordingly, Applicants have amended claim 23 to include the limitations of claim 37 and cancelled claim 37. Also, Applicants have added claims 62-65 which include the limitations of claim 23 and allowable claims 26-27, 31 and 36, respectively. Therefore, claims 23-49 and 62-65 should now be in condition for allowance.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Erin G. Hoffman, Reg. No. 57,752, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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